

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner
Lukas Eisermann et al.	)	(unknown)
	)	
Serial No. New	)	Group Art Unit (unknown)
	)	
Filed December 11, 2003	)	December 11, 2003
	)	
EXPANDABLE INTERVERTEBRAL	)	Ref. No. 4002-3021/PC765.00
IMPLANT	)	

**INFORMATION DISCLOSURE STATEMENT**

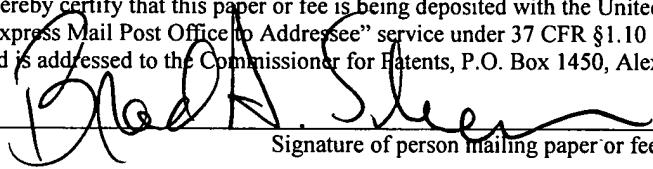
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation form. Copies of the U.S. patents and/or U.S. patent application publications listed in this IDS form are not being provided herewith since the requirements for submitting such documents under 37 CFR 1.98 (a)(2)(i) have been waived with regard to applications filed or nationalized subsequent to June 30, 2003.

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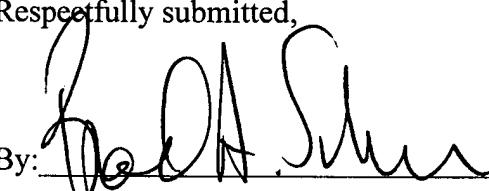
  
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This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

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<i>Complete if Known</i>	
Application Number	New
Filing Date	December 11, 2003
First Named Inventor	Lukas Eisermann
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	4002-3021/PC765.00

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If known)			
1	US-4,863,476		09/05/1989	Shepperd	
2	US-5,554,191		09/10/1996	Lahille et al.	
3	US-5,522,899		06/04/1996	Michelson	
4	US-5,609,635		03/11/1997	Michelson	
5	US-5,653,763		08/05/1997	Errico et al.	
6	US-5,658,335		08/19/1997	Allen	
7	US-5,665,122		09/09/1997	Kambin	
8	US-5,776,199		07/07/1998	Michelson	
9	US-5,782,832		07/21/1998	Larsen et al.	
10	US-6,080,193		06/27/2000	Hochshuler et al.	
11	US-6,102,950		08/15/2000	Vaccaro	
12	US-6,117,174		09/12/2000	Nolan	
13	US-6,129,763		10/10/2000	Chauvin et al.	
14	US-6,176,882		01/23/2001	Biedermann et al.	
15	US-6,190,414		02/20/2001	Young et al.	
16	US-6,371,989		04/16/2002	Chauvin et al.	
17	US-6,436,140		08/20/2002	Liu et al.	
18	US-6,610,089		08/26/2003	Liu et al.	
19	US-2002/0040243		04/04/2002	Attali et al.	

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (If known)				
20	DE 44 16 605 C1		06/08/1995			
21	WO 97/00054		01/03/1997			
22	WO 00/12033		03/09/2000			
23	WO 01/68005		09/20/2001			

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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